

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

DONNIE RAY BOUDREAUX

CIVIL ACTION NO. 6:21-cv-00523

VERSUS

JUDGE JOSEPH

**COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION**

MAGISTRATE JUDGE HANNA

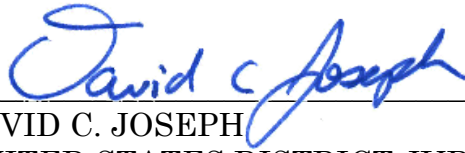
JUDGMENT

This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that the Commissioner's decision is REVERSED and REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g).¹ More particularly, the Commissioner is instructed to evaluate whether the claimant meets the criteria of Listings 12.03 and 12.04, reevaluate the claimant's credibility, and properly weigh the medical opinions. The claimant should be afforded the opportunity to submit updated medical evidence and to testify at another hearing.

¹ A fourth sentence remand constitutes a final judgment that triggers the filing period for an EAJA fee application. *Shalala v. Schaeffer*, 509 U.S. 292 (1993); *Freeman v. Shalala*, 2 F.3d 552, 553 (5th Cir. 1993).

Signed at Lafayette, Louisiana, this 11th day of March, 2022.



DAVID C. JOSEPH
UNITED STATES DISTRICT JUDGE